GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Panchayat Raj & Rural Development Department – Sri Tirumalla Durga Rao, S/o Seetaiah, Retired Junior Assistant, Tadimalla Mandal, R/o Tadimalla, Nidadavolu Mandal, West Godavari District - Disciplinary action initiated – With held of Pension and Gratuity- Orders of Hon'ble High Court in WP (AT)No.246 of 2021 dt.24.01.2023 – Implemented -Orders – Issued.

PANCHAYAT RAJ &RURAL DEVELOPMENT (VIGILANCE.IV) DEPARTMENT

GO.Rt.No.801 **Dated.20.11.2023**

Read the following:-

1.Chief Executive Officer, West Godavari District, Proceedings, dt.02.09.1998
2.Mandal Parishad Development Officer, Chagallu, Charge Memo No.345/B-1/98, dt.27.09.1998.
3.Written Statement of Defense submitted by Sri Tirumalla Durga Rao, Retired Junior Assistant, West Godavari District, dt.05.10.1999.
4.Mandal Parishad Development Officer, Pedapadu Procdgs. CPR&RE No. H4/6657/98, dt.28.02.2006
5. G.O.Ms.No.266, PR&RD (E.IV) Department, dt.13.03.2015.
6.Orders of the Hon'ble High Court in W.P.(AT) No. 246 of 2021, dt.24.01.2023.

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ORDER:

In the reference 1st read above, Sri Tirumalla Durga Rao, S/o Seeetaiah, Retired Junior Assistant, Tadimalla Mandal, R/o Tadimalla, Nidadavolu Mandal, West Godavari District was placed under suspension on the allegation of preparing fake appointment orders of teachers and sold to not merit list candidates. In the reference 2nd read above, disciplinary action was initiated against him by framing Article of Charges along with others. The Charged officer has submitted his explanation to the charge memo vide reference 3rd read above. In the reference 4th read above, the Mandal Parishad Development Officer, Peddapadu of West Godavari District, was appointed as Enquiry Officer and the Enquiry Officer has conducted the inquiry and submitted his Enquiry report duly held that the charges were held proved against Sri T.Durga Rao, Junior Assistant. The enquiry report was communicated to him vide Memo dt:01-7-2008, calling for his explanation on the findings of the Enquiry Officer. Sri T Durga Rao, Junior Assistant (Retd.,) has submitted his explanation and requested to drop the departmental action against him. Government after careful examination of the matter, have accorded major penalty of withholding of pension & gratuity in full and permanently against Sri T.Durga Rao, Junior Assistant(Retd.) under Rule 9 of A.P.Revised Pension Rules, 1980 vide G.O.Rt.No.266, PR & RD (VIG.III), dt:13.03.2015.

2. Aggrieved by the above, Sri Tirumalla Durga Rao, S/o Seetaiah, Retired Junior Assistant of Tadimalla, Nidadavolu Mandal, West Godavari District has filed WP(AT) No.246 of 2021 before the High Court of AP, challenging the GO.Rt.No.266, dt.13.03.2015. The Hon'ble High Court in its Judgement dated:24.01.2023 has passed orders as follows:

> "..... Accordingly, the Writ Petition is allowed. The impugned G.O.Rt.No.266 dated 13.03.2015 issued by the 1st respondent against the petitioner is hereby quashed. The respondents are directed to release the pension and gratuity and other pensionary benefits to the petitioner from the date of his retirement till the date of realization of the amounts due to him".

3. Government after careful examination of the matter and in considering the Judgement passed by the Hon'ble High Court in WP (AT) No.246 of 2021 dated:24.01.2023, have decided to implement the above orders of the Hon'ble High Court, for releasing the pension and gratuity and other pensionary benefits to the petitioner Sri Tirumalla Durga Rao, Retired Junior Assistant, Tadimalla (V), Nidadavolu Mandal, West Godavari District, from the date of his retirement till the date of realization of the amounts due to him. Accordingly, the Government hereby order to release pension and gratuity and other pensionary benefits to the petitioner

(Contd.2)

Sri Tirumalla Durga Rao, Retired Junior Assistant, Tadimalla(V), Nidadavolu Mandal, West Godavari District, from the date of his retirement till the date of realization of the amounts due to him.

4. The Commissioner Panchayat Raj & Rural Development shall take further action in the matter and furnish the action taken report to the Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Tirumalla Durga Rao, S/o Seetaiah,
Retired Junior Assistant of Tadimalla, Nidadavolu Mandal, West Godavari District.
through the Commissioner (PR&RD), Tadepalli, Guntur Dist.
The Commissioner, Panchayat Raj & Rural Development, Tadepalli, Guntur District.
Copy to:
The Government Pleader for Services (PR&RD) Department, High Court of A.P.
The Accountant General, Andhra Pradesh, Vijayawada.
The Director of Treasuries and Accountants, A.P., Mangalagiri, Guntur Dist.
The District Treasury Officer, West Godavari District.
The Chief Executive Officer, Zilla Parishad, Eluru.

//FORWARDED::BY ORDER//

SECTION OFFICER